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Attorneys for Plaintiff

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

<b>19 RECORDINGS LIMITED</b>	)	
	)	
<b>Plaintiff,</b>	)	
<b>v.</b>	)	<b>Case No. 14-CV-1056 (RA)(GWG)</b>
	)	
<b>SONY MUSIC ENTERTAINMENT,</b>	)	<b>DECLARATION OF THEODORE</b>
	)	<b>COHEN</b>
<b>Defendant.</b>	)	<b><u>DEMAND FOR JURY TRIAL</u></b>
	)	
	)	

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I, Theodore Cohen, state as follows:

1. I am over 18 years of age and I make the followings statements based on my personal knowledge.
2. I am a resident of Los Angeles, California.
3. I have been retained by the Plaintiff in this action.
4. I am currently the Managing Partner of TAG Strategic.
5. I have previously held senior management positions at EMI Music, Warner Bros. Records and Philips Media.
6. I entered the recorded music industry in 1971 and have been engaged in that business for more than 40 years.
7. I have chaired the Visionary Committee for MidemNet, served on the NARAS (Grammy) Los Angeles chapter Board of Governors as well as the National Trustee Board and co-chaired the Grammy Technology Committee.
8. I have served on a number of Boards of Directors including the Neil Bogart Memorial Fund, Lyricfind.com, and Music.com. I also served two terms as the Chairman of the Mobile Entertainment Forum Americas in 2006 and 2007.
9. I am a frequent speaker on issues regarding the recorded music industry and technology.
10. Over the last fifteen years, I have held various senior positions related to the sale, broadcast, transmission, and distribution of music over the Internet.
11. I have personal knowledge regarding the inter-workings of numerous music streaming services, including Spotify.

12. The major records labels, including Sony Music Entertainment ("Sony"), have an ownership interest in Spotify.

13. Spotify's agreements with Sony allow Spotify to exploit master recordings owned or controlled by Sony at rates that are significantly below the rates paid by Spotify's competitors, such as Napster and Rhapsody.

14. Spotify's royalty rate is significantly lower than the rate paid by its major competitors. Some of Spotify's competitors pay as much as [REDACTED] of the royalty rates paid by Spotify.

15. Streaming services which have not given Sony significant royalty interests pay significantly higher rates than Spotify.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on 6/15/15

  
Theodore Cohen